

## Status of Appeals Pending in Court

HLP-14-1 (CVCV051987)  17-0423	Keith Puntenney v. Iowa Utilities Board and Dakota Access, LLC	Pipeline Permit	05-26-16	Polk County	Petition filed 05-26-16. Answer filed 06-16-16. Motion to consolidate granted 06-22-16. See <u>Lamb</u> case below.	Wright Flickinger
HLP-14-1 (CVCV051990)  17-0423	LaVerne Johnson v. Iowa Utilities Board and Dakota Access, LLC	Pipeline Permit	05-26-16	Polk County	Petition filed 05-26-16. Answer filed 06-16-16. Motion to consolidate granted 06-22-16. See <u>Lamb</u> case below.	Wright Flickinger
HLP-14-1 (CVCV051997)  17-0423	Richard Lamb, et al. v. Iowa Utilities Board and Dakota Access, LLC	Pipeline Permit	05-27-16	Polk County  Appealed to the Iowa Supreme Court	Petition filed 05-27-16. Answer filed 06-16-16. Motion to consolidate granted 06-22-16. Agency record filed 07-22-16. Petitioner's emergency motion for stay filed 08-9-16. Order denying stay issued 08-21-16. Board order denying stay issued 08-26-16. District Court order denying stay issued 08-29-16. Oral argument held 12-15-16. District Court order denying petition and affirming decision of IUB issued 02-15-17. Sierra Club, LaVerne Johnson, and Keith Puntenney each filed a notice of appeal on 03-16-17. Final briefs filed 11-05-17 through 11-13-17. Awaiting oral argument. Substitution of counsel filed 05-16-18. Oral argument 09-12-18.	Wright Flickinger
HLP-14-1 (CVCV051999)  17-0423	Sierra Club v. Iowa Utilities Board and Dakota Access, LLC	Pipeline Permit	05-27-16	Polk County	Petition filed 05-27-16. Answer filed 06-16-16. Motion to consolidate granted 06-22-16. See <u>Lamb</u> case above.	Wright Flickinger
DRU-17-3 (CVCV025649)  18-1184	Mathis v. IUB	476A Declaratory Ruling	02-05-18	Palo Alto  Appealed to the Iowa Supreme Court	Petition for judicial review filed 02-05-18. IUB answer filed 02-27-18. Agency record filed 03-07-18. Petitioner's brief filed 03-27-18. IUB brief due 04-16-18. Petitioner's reply brief due 04-26-18. Oral argument by telephone held 04-27-18. Substitution of counsel filed 05-16-18. Order ruling on judicial review issued 07-03-18. Petitioners' notice of appeal filed 07-10-18. Appellant Mathis proof brief filed 08-24-18-18. Appellee IUB proof brief due 09-30-18.	Wright Magner
FCU-18-3 (C-17-186) CVCV056463	CF Industries Nitrogen, LLC v. IUB	Complaint	06-08-18	Polk	Petition for judicial review filed 06-08-18. OCA's motion to intervene filed 06-	Wright Whitman

					<p>21-18. IUB answer filed 06-28-18. Agency record filed 07-05-18.</p> <p>IUB response to OCA intervention filed 07-05-18. MEC motion to intervene filed 07-12-18. Order granting OCA intervention issued 07-13-18. OCA's response to MEC's motion to intervene filed 07-17-18. CF Industries response to MEC's motion to intervene filed 07-17-18. Order granting MEC's motion to intervene issued 07-18-18. Appellant CF Industries brief filed 08-17-18. OCA brief filed 08-17-18. Appellee IUB brief due 09-17-18. Oral argument 10-22-18.</p>	
AgriRenew Protestes	Department of Inspections and Appeals				<p>Hearing is in front of ALJ at Inspections and Appeals. AAG is Job Mukkada. Proposed dates: December 6-7, 2018; January 17-18, 2019; and January 21-22, 2019.</p> <p>Protest Docket Nos:</p> <p>2014-240-2-0137</p> <p>2015-240-2-0406</p> <p>2017-240-2-0279</p> <p>2018-240-2-0281</p>	<p>Board Attorney ?</p> <p>Witness ?</p>